



Jiang, *et al.*
10/776,642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jiang, *et al.*
Appl. No.: 10/776,642
Filed: February 12, 2004
For: **Method and Device for Generating Mists and Medical Uses Thereof**

Commissioner of Patents
U.S. Patent and Trademark Office
220 20th Street South
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

DECLARATION (37 C.F.R. § 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the application identified above.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any United States provisional applications or foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:


| <u>Application Serial No.</u> | <u>Country</u> | <u>Filing Date (Day/Month/Year)</u> | <u>Priority Claimed (Yes/No)</u> |
|-----------------------------------|----------------|---|--------------------------------------|
| 60/447,335 | United States | February 14, 2003 | Yes |

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT International Application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status (Patented, Pending, Abandoned)</u> |
|-----------------------------------|--------------------|--|
|-----------------------------------|--------------------|--|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint the practitioners associated with Customer Number 42798, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to Michael A. Sanzo, FITCH, EVEN, TABIN & FLANNERY, P.O. Box 65973, Washington, D.C. 20035, Telephone No. (202) 419-7000, Facsimile No. (202) 419-7007, CUSTOMER NUMBER 42798.



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